

## Remarks

Applicant provisionally elects examination of Group II claims with traverse.

The Office Action asserts that Group I Claims 1-9 and 22-25 are directed to negotiating over a control channel for use of a data channel, and that Group II Claims 10-21 and 26-31 are directed to collision avoidance on a control channel that is divided into time slots. Applicant has added new Claim 40 which depends from Claim 16 (Group II) and recites all of the limitations from Claim 1 (Group I). Thus, an examination of Group II claims (including new Claim 40) would therefore necessitate searching features of Group I claims and therefore applicant requests examination of Group I claims with Group II claims.

Respectfully submitted,



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